



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

UGO NETWORKS, INC.,

Opposer,

v.

KONAMI CORPORATION,

Applicant.



01-13-2004

U.S. Patent & TMOfc/TM Mail Rcpt Dt. #22

Consolidated Opposition No. 91/153,578

Appln. Serial Nos.: 76/074,595

and 76/075,729

Opposition No. 91/158,164

Serial No. 76/071,881

Opposition No. 91/158,129

Serial No. 76/074,599

Opposition No. 91/158,162

Serial No. 76/071,768

Opposition No. 91/158,165

Serial No. 76/071,879

Opposition No. 91/158,201

Serial No. 76/203,232

Opposition No. 91/158,154

Serial No. 76/203,233

STIPULATED MOTION FOR ENLARGEMENT OF TIME
FOR APPLICANT TO RESPOND TO OPPOSER'S MOTION
TO CONSOLIDATE PROCEEDINGS, TO RESET DISCOVERY AND
TRIAL DATES AND TO LIMIT DISCOVERY
AND TO ENLARGE OPPOSER'S TIME TO RESPOND
TO APPLICANT'S OUTSTANDING DISCOVERY

Pursuant to 37 CFR § 2.127 and Fed. R. Civ. P. 26, Opposer, UGO Networks ("Opposer") and Applicant, Konami Corporation ("Applicant") jointly move the Board for entry of this Stipulated Order 1) granting Applicant through and including January 23, 2004 to serve and file a response to Opposer's Motion to Consolidate Proceedings, to Reset Discovery and Trial Dates and to Limit Discovery ("Opposer's Motion to Consolidate"); and 2) granting Opposer a further 10-day extension of time to respond to Applicant's outstanding discovery in the six most recent opposition proceedings.

In further support of this Stipulated Motion, and as a good cause for the relief requested herein, the parties jointly state as follows:

A. Enlargement of Time for Applicant to Respond
To Opposer's Motion to Consolidate

On December 24, 2003, Opposer filed with the Board via Express Mail and served on Applicant's counsel, by First Class Mail, Opposer's Motion to Consolidate. Opposer's Motion to Consolidate was delivered to the offices of Applicant's undersigned counsel sometime after December 25, 2003, when each of Applicant's undersigned counsel was out of the office. Applicant's counsel did not return to the office until January 5, 2004 and thus were unable to deliver a copy of Opposer's Motion to Consolidate to Applicant, which is based in Japan, until after January 5, 2004.

Under the Board's standard rules for calculating the time period for responding to a motion, Applicant would have 15 days from the date of service plus 5 additional days because service was by mail for a total of 20 days from the date of service. 37 CFR 2.127(a) (15 days); 2.119(c) (5 extra days after service by mail). Hence, Applicant's response to Opposer's Motion to Consolidate would be due 20 days after December 24, 2003 or by January 13, 2004.

Undersigned counsel recently received instructions from Applicant in Japan regarding how Applicant would like to respond to the Motion to Consolidate. Applicant requests the additional time requested herein so that it can prepare an appropriate response to Opposer's Motion to Consolidate, send that response to Applicant in Japan for review, and then complete and file the brief in response to the Motion to Consolidate by Friday, January 23, 2004.

By the signature of its counsel below, Opposer has consented to the enlargement of time Applicant requests herein.

B. Enlargement of Time for Opposer To Respond to Applicant's Outstanding Discovery

On either the opening or second day of the discovery period for each of the six opposition proceedings Nos. 91/158,164; 91/158,129; 91/158,162; 91/158,165; 91/158,201; and 91/158,154; Applicant served on Opposer a First Set of Interrogatories, First Request for Production of Documents and First Request for Admissions ("Applicant's Discovery") in each proceeding. Thereafter, Applicant granted Opposer a 45-day extension of time in each proceeding to respond to Applicant's Discovery. Opposer seeks an additional 10 days to respond to Applicant's Discovery.

By the signature of its counsel below, Applicant has consented to the enlargement of time Opposer requests herein.

For all of the foregoing reasons, the parties hereby STIPULATE and jointly move the Board for entry of an order that:

1) The Stipulated Motion for Enlargement of Time for Applicant to Respond to Opposer's Motion to Consolidate Proceedings, to Reset Discovery and Trial Dates and to Limit Discovery and to Enlarge Opposer's Time to Respond to Applicant's Outstanding Discovery is hereby GRANTED;

2) Applicant shall have through and including January 23, 2004 to file and serve its brief in response to Opposer's Motion to Consolidate Proceedings, to Reset Discovery and Trial Dates and to Limit Discovery; and


3) Opposer shall have an additional period of 10 days beyond the extension previously granted by Applicant for Opposer to respond to Applicant's outstanding First Set of Interrogatories, First Request for Production of Documents and First Requests for Admissions propounded by Applicant in Opposition Nos. 91/158,164; 91/158,129; 91/158,162; 91/158,165; 91/158,201; and 91/158,154.

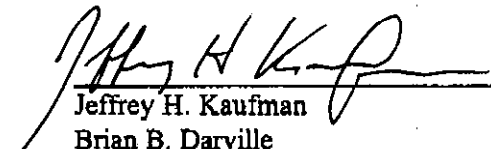
IT IS HEREBY STIPULATED BETWEEN THE PARTIES

Respectfully submitted,

UGO NETWORKS, INC.

KONAMI CORPORATION


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Dated: January 12, 2004

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